

FIG. 1

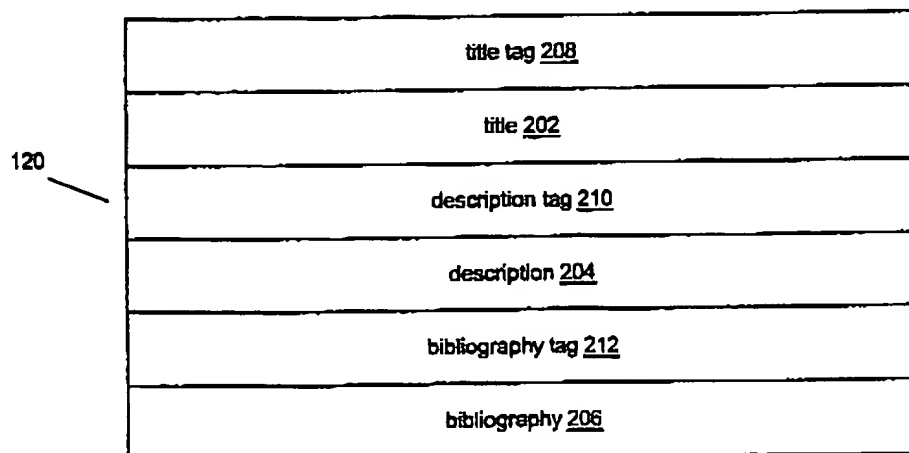


FIG. 2

### **REMARKS**

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1-5 and 7-20 remain pending without amendment. Claim 6 has been amended. Claims 1, 6, 11, and 16 are the independent claims.

### **ARGUMENT**

The Office Action objects to the drawings and the specification. The Office Action also includes claim rejections based on 35 U.S.C. §§ 102(e) and 103(a).

#### **Objections to the Drawings**

The Office Action objects to the size of the letters and numbers and to the use of reference number 138 on more than one feature in the drawings. The original drawings consisted of one sheet containing both Figs. 1 & 2. This response includes replacement drawings sheets that use larger text and numbers, with each figure occupying its own sheet. In addition, as highlighted in red ink on the attached annotated drawing sheet, in the replacement drawings, the reference number for the audio file in computer system 134 has been changed from 138 to 136. Also, the reference number for the information that is sent from audio file 132 to text-to-speech software 112 has been changed from 138 to 137. The legend for that information has also been changed from "audio title" to "Title Text," in accordance with the specification.

#### **Objection to the Specification**

The Office Action notes that reference number 108 should be replaced with reference number 126 on page 8 of the specification. This response makes that correction. This response also modifies three paragraphs in the specification, in accordance with the drawing changes identified above. None of the changes introduce any new matter.

35 U.S.C. § 102(e)

The Office Action rejects claims 1-2, 5-8, 10-12, 15-17, and 20 under 35 U.S.C. § 102(e) as being anticipated by U.S. patent application serial no. 09/737,486, publication no. US 2001/0027396 A1, by Tatsuhiro Sato (hereinafter "Sato"). Applicant respectfully traverses those rejections.

Claim 1 recites a method with operations for (a) reading information from meta-data for an "audio file" and (b) "concatenating" at least a portion of an audio format of the information "to the audio file." Thus, the result of the claimed process is a file that contains the "audio format" of the information from the meta-data. For instance, the detailed description refers to an example embodiment that involves concatenating an audio format of a title to an audio file for a song, and then transferring the file "with [the] concatenated audio title" to an MP3 player. When the MP3 player then plays or "renders" file, the title is rendered through the speakers. The user can thus hear the title, rather than reading it from a display. (Page 5, lines 5-8; page 7, line 10-22.)

Sato discloses a device that generates audio output based on text information associated with an audio file. However, Sato does not disclose "concatenating" an audio format of information to the audio file. Instead, when a song is played, a "voice synthesizer" is used to generate audio output, based on "text information" associated with the song. Rather than concatenating the synthesized voice to the audio file, Sato simply plays the synthesized voice through a speaker. (Para. 55.)

Sato also discusses a "read-out timing setting unit" for managing "a timing at which the text information is read out with respect to reproduced music data" (para. 69). This feature of Sato confirms the conclusion that Sato does not teach concatenating an audio format of information to the audio file. Instead, Sato uses the audio data in the audio file only to generate the music, while using text information to generate the synthesized voice.

Sato therefore does not anticipate claim 1. In addition, since claims 11 and 16 also involve “concatenating” an audio format of descriptive information “to the audio file,” Sato does not anticipate claims 11 and 16.

Also, claim 6 has been amended to make it clear that the recited method generates “a new audio file” that contains “audio data” resulting from “mixing” the audio file with “an audio format” of descriptive information. Sato does not disclose generation of a new audio file that contains audio data based on mixing an audio file with an audio format of descriptive information. Sato therefore does not anticipate claim 6. Furthermore, Sato does not anticipate any of the dependent claims, since the dependent claims include the features of their respective parent claims.

35 U.S.C. § 103(a)

The Office Action rejects claims 3-4, 9, 13-14 and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of U.S. patent no. 5,834,670 to Takeshi Yumura et al. (hereinafter “Yumura”). Applicant respectfully traverses these rejections.

Yumura relates to a karaoke apparatus that generates synthesized speech in association with music. However, Yumura does not disclose or suggest “concatenating” an audio format of descriptive information to an audio file (claims 1, 11, 16) or generating “a new audio file” that contains “audio data” resulting from “mixing” the audio file with “an audio format” of descriptive information (claim 6). For the reasons set forth above, neither does Sato. Consequently, even if Sato and Yumura were to be combined, the combination would not disclose or suggest all of the features recited in the pending independent claims.

For these and other reasons, claims 1, 6, 11, and 16 are allowable. Since the independent claims are allowable, dependent claims 2-5, 7-10, 12-15, and 17-20 are also allowable.

09/752,611

**CONCLUSION**

In view of the foregoing reasons and other reasons readily apparent, Claims 1-20 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (512) 314-0349. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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